G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1906

( )

File No. 80

Serial Nos. 1—6

Papers Filed.

Month April 1908.

SUBJECT.

Complaint of Palodi Subbiah of Kolar, complaining of his eviction from a piece of land alleged to have been in his possession for construction of some charitable institutions.

PREVIOUS REFERENCES.	LATER REFERENCES.

M. S.] 19 .

MUZRAI SECRETARIAT.

OFFICE NOTE

File No. 76-06

SUBJECT.

Complaint of Paladi Subbiah of Kolar, regarding his eviction from a piece of land alleged to have been in his possession.

From

The Deputy Commissioner, Kolar District.

Letter No 789/44, Dated 29th July 1907.

No 1064/3999 dated 26. Feb. 07.
No 4163, Dt 9th March 1907.
No 4371, dated 22nd March 1907.

One Paladi Subbiah of Kolar twice memorialised H. H. the Maharaja, complaining of his eviction from a piece of land in his possession for the past 33 years intended for the construction of Charitable institutions thereon. The ~~four~~ Memorials were referred to this Office by the Private Secretary to H. H. the Maharaja for disposal. These along with 2 other petitions presented to this Office by the Memorialist were forwarded to the Deputy Commissioner, Kolar District, for report

No 4196 Dt 13. 3. 07.
No 4298 Dt 4. 3. 07.

The Deputy Commissioner has now submitted a report giving a full and succint history of the case. From it, it is observed that on an application from the petitioner, he was in 1874 granted rent free a piece of land situated to the south of and contiguous to the Govt. Annamalaichetty at Kolen, on the express condition of his erecting temples of Siva and Kodandaramaswami, and laying out flower and Tulasi gardens and planting fruit trees thereon, but that contrary to the conditions, the petitioner erected a small mud roofed building for his own habitation. It is further observed that he also encroached upon the other portions of the Govt. site adjoining that granted to him, and attempted to enclose the same with a compound wall. This encroachment having been subsequently discovered by the Vice President of the Municipality Mr. M. Krishnaiengar, and after a thorough enquiry, he directed in 1897 that as the grantee failed to abide by the terms of the grant, a sum of Rs 296-7-0 should be levied for the whole of the site at 2 as per square yd.

A

B.

Page ( ).

Muz 8A]

Muzrai Secretariat. | File No. of 190

and that in default, the site should be resumed by Govt. The petitioner thereupon appealed to the Deputy Commissioner and President of the Municipality, Mr. A. Rangaswami Iyer (the present Revenue Commissioner) C passed the following order in 1897:—

"The party has agreed by a deposition
"to build the temples &c, within 3 years and
"that in default, the Govt might dispose
"of the property as it thinks proper. On
"these conditions, the applicant's possession
"of the site &c will be continued pending
"the construction of the charitable buildings."

Paper under disposal

The Deputy Commissioner further reports that Palaidi Subbiah did not actup to the terms of the Muchalika even so late as December 1904, and that as he found that the site ~~had been kept as a dangerously~~ ~~accessible~~ ~~condition~~, which was so close

GPB—3,000—22-6 06

File No. of 190 | Muzrai Secretariat.

to the Annaphattram, the Govt. High School and the Public Park, had been kept in a dangerously insanitary condition, he ordered the resumption of the site in question, after ~~three~~ taking the usual formal steps for the purpose.

The Deputy Commissioner solicits that ~~accordingly~~ the resumption of the site in question may be approved and orders issued, so that necessary action may be taken (1) for the acquisition of the mud ~~roof~~ house to enable the enlargement and improvement of the Govt. Annaphattram compound and (2) for retaining the Aswatha tree which has grown on the site and making an Aswatha katte there for the use and benefit of the public. He further states that he has submitted the usual application with needful statements for the acquisition of the mud house to the Revenue Commissioner for obtaining orders of Govt.

Submitted with a Draft.

Muzrai Secretariat. | File No. of 190

Note cont'd

The petitioner Pala di Subbiah has since memorialized His Highness, praying that he may not be disturbed from his possession of the house and field in question. The petition has been referred to this Office for disposal under cover of the Private Secretary's No 748, dated 19th September 1907, with the observation that the "Petitioner may be informed that H H the Maharaja will not interfere in the matter."

Submitted

Muzrai Secretary's Remarks.

It is not understood what the Muzrai Department can do for the The land in question was granted within by the Municipality so far back as 1874 on the condition of the petitioner erecting a

GPB—3,000—22-6-06

6

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temple thereon As however he did not act up to the condition of the grant, although time was given him, the land is proposed to be resumed by the Deputy Commissioner on sanitary grounds The matter seems to be one for disposal in the Municipal department and I think final orders have to issue from that department The papers may be transferred to the Local Board Branch of the General and Revenue Secretariat

Submitted to the 2nd Councillor

10th October 1907.

333
12.10.07

The Deputy Commrs action may be approved and the Petr may be granted an enquiry as directed in Private Secretary's Memo I know the facts of the case, which came up before me when

G. R. S. 12]
General and Revenue
Secretariat.

File No. of 190

Serial No.

The Petr is too poor to build the temples and is a trouble-some man to deal with. The Dy Commr acted very rightly in resuming the land.

The file may then be transferred to the Municipal Branch for needful action

KBH
12/10/07

Draft accepted
18/10/07

AV 18/10/07

Dft Submitted.
AV
19/10/07

Returned to the 2nd Councillor.

The land in this case was originally granted by the Municipality and was resumed on sanitary and other grounds. I think orders in this case should be issued from the L.T. Branch of the S.R.O. If approved, the papers will be transferred to that Branch for issue of orders.

This may be done

PTC.

KBH
20/10/07

20/10/07

NOTE—Contn sheet.

GPE—50 000—17-3-07

8

No. 2077 S/27.10.07. Encl. 2 file.

Forwarded to the Secretary to Govt., General and Revenue departments, as per orders of the Second ~~Assessor~~ Councillor

By order

25/10/07 Illegible
Secretary Municipal Dept.

9

Page ( )

Muz 8A]

Muzrai Secretariat.	File No.	of 190

Note Continued —

As called for in para 3 of Govt Bo. no 5075-7/ml 145-07-2 dated 30th November 1907, the Deputy Comr states that an award of Rs 60/- was made for the acquisition of the house belonging to one Paladi Subbiah That the same was taken possession of and that as the acquisition was for the purpose of extending the Compound of the Govt Atma Chattram at Kolar, the said small sum of Rs 60/- may be met from the funds available at the credit of the Chattram.

Submitted with a draft sanctioning the necessary. 434 23.4.08

Submd to the 2nd Mr.

23. 4. 08

Approved

23/4/08

Issue the draft

23/4/08

GPB—3,000—2246-06

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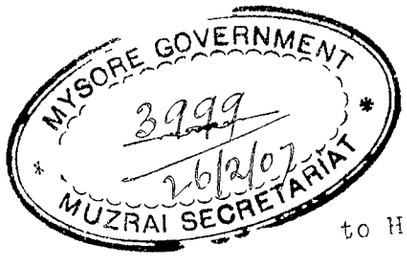


Office of the Private Secretary

to His Highness the Maharaja of Mysore.

The Palace, Mysore 25th Feb 07.

No. 2076/4

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, in the Muzrai Department, Bangalore, for disposal.

By order,

Sd/- J. J. Whitelo.

Offg Private Secretary to

H. H. the Maharaja of Mysore.

No. 1069 of 06-07

cf 5/3

Sk 2

Muz 1 A]

190

From

To

The Deputy Commr
Kolar Distt.

Dated

Despatched 3.2.07

Received

General No. 1207

No.

Enclosure No.

Has the hnor to for-
ward herewith memorials
dated 18th & 21st July 1907
registered no. 1069 addressed
3999 ^
To H. H. The Maharaja by
one Baladi Subbiah of
Kolar Complaining of his
eviction from a piece of
land in his possession for

GPB—3,000—21-7 06

The past 33 years or so, intended for the construction of some charitable institutions thereon &c.

2) It is requested that a detailed reports may be submitted on all the allegations contained in the petitions.

By order

Sd/- 6/3/07

Secretary.

Sd/- 4/3/07

Rupees

No. 2202/1

2r

9/3/07

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

The Palace, Mysore, 7-3- -1907

4163
9307

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, in the Muzrai Department, Bangalore, ~~for~~ in continuation of 07.

No.1151 of 06-07.

By Order,

~~I.C.S.~~

Private Secretary
to H. H. The Maharajah of Mysore.

copied
18.3.07

Muz. 1 A]

190

From

To

The Deputy Commr
Kolar Distt.

Dated

Despatched

Received

General No. ____ ____
No.

Enclosure No.

Referring to this office no. 4398 dated 8th March 1907 calling for a report on the alleged eviction of one Palaki Subbiah of Kolar from a piece of land in his possession for the past 33 years or so, has the honor to forward herewith for report the marginally noted petitions* from the said individual on the subject.

By order,

Secretary.

GPB—3,000—21-7-06

16/3/07

Mot. again not necessary vide no. 4399

* no. 4163 Dt 9-3-07 To H.H the Maharaja
— " — 4196 Dt 13-3-07.

4371

AV

Repus

No. 2391/1

Rd

22/3/07

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.
The Palace, Mysore, 21-3-1907.

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, Muzroi Department, Bangalore, ~~for~~ in continuation of this office No.2076, dated 25-3-07.

No. 1247 of 06-07.

By Order,

Offg: *Private Secretary*
to H. H. The Maharajah of Mysore.

MP 24/4

Mad 1 A]

190

From

To

The Deputy Commr
Kolar District.

Dated

Despatched 26th April 1907

Received

General No. 5000
No.

Enclosure No. 2

In continuation of the
marginally noted communication*
from this office calling for
a report on the alleged
eviction of one Baladi
Subbiah of Kolar from a
piece of land in his possession
~~for the past 33 years or so,~~
has the honor to forward
herewith the marginally noted*
petitions on the subject and
to request that the report

* no. 4398 of 8/3/1907.
& " 4678 of 26/3/1907.

* no 1247/4371 of 22/3/07.
& " 4238 of 14/3/07.

GPB—3,000—21-7-08

dy called for may be submitted at an early date.

By order,

(sd) 26/4/07

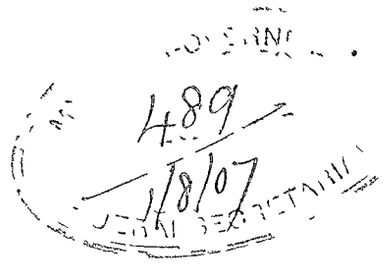
Secretary.

22/4/07

Inst. not necessary.

Sl 3

1907-8



From

C Srikanteswara Aiyar Esqr
B.A.-B.L
Deputy Commissioner
Kolar District

To

The Secretary to the Govt
of H.H. the Maharaja of Mysore
Municipal department

Dated

Despatched 29th July 1907

Received

General No. 789
No. 44

Enclosure No. 2 files

Submits report on the petitions from Paladi Subbiah of Kolar, regarding his eviction from a piece of land alleged to have been in his possession for the past 33 years.

Office of the Deputy Commissioner,

Kolar District,

No.....

Dated Kolar, 20th July 1907.

From

C. Srikantesvara Aiyar Esquire., B.A., B.L.,

Deputy Commissioner, Kolar District.

To

L. Anantaswami Rao Esquire., B.A.,

Secretary to the Government of Mysore.

Muzrai Department.

Sir,

With reference to your dockets Nos.5000, 4398 and 4678 dated 26th April and 8th and 26th March 1907, respectively, forwarding for report, six petitions from one Paladi Subbiah of Kolar, complaining of his eviction from a piece of land alleged to have been in his possession for the past 33 years, I have the honor to state as follows:-

2. On 30th February 1874, the petitioner applied for a free grant of the piece of land situate to the south of and contiguous to the Government Annachatram at Kolar, for erecting temples of Siva and Kodandaramaswami and laying out flower and Tulasi beds and planting fruit trees thereon. The then Deputy Commissioner, late Mr. B. Krishna Iyengar, in his Order No.248 dated 6th October 1874, sanctioned the grant of 42 X 34 or 1428 Sq.Yds of land on express condition that the petitioner should construct the temples &c, within one year and that, in default thereof, the site together with the materials &c, collected, would be forfeited and resumed by Government. The petitioner thereupon executed a Mutchalika (marked A) dated 12th October 1874, binding himself to abide by the said specfic stipulation.

3. He then, instead of constructing the temples, quietly let some time pass by, and thereafter built in 1879-80,

unnoticed and without permission , a small mud roofed house of 9 ankanas for his own habitation, directly opposed to the unequivocal terms of the grant of land, and quite ignoring the pious object for which it was made. When the said structure had sprung up, the Municipality, in their ordinary course of business, without reference to the question of the propriety or otherwise of the house, which, they had no need to go into, merely levied the usual mohatarfa tax of one rupee.

An enquiry at the time into the ownership of the site and conditions or terms of acquisition thereof by its ostensible owner, would at once have exposed and set the matter at rest; but apparently such enquiry was burked in collusion with and connivance of the Shanbog and Patel concerned.

4. Not content with the erection of such dwelling house, the grantee gradually encroached upon the other part of the Government site to the north of the portion granted to him and succeeded in thwarting off suspicions, for a time being, by fixing a few stone posts and slabs in front, with a view to make the local Officers believe that he was attempting to build the temples &c,

5. When, eventually, in 1896, he boldly attempted to erect a compound wall enclosing all the available land in the locality, even those not included in the grant, it casually drew the attention of the Municipal Daroga, who obstructed its construction as it was without a license, and brought it to the notice of the higher authorities. This led to a lengthy enquiry and discovery of the encroachment referred to above; and orders (vide Order No.L.68 dated 10th August 1896) were issued by the then Deputy Commissioner, Mr. C. Madiah, to stop the work till the case was finally disposed of.

6. In May 1897, Mr. M. Krishna Iyengar, the then Vice President of the Municipality, after a thorough searching investigation found that the whole of the land including the

portion built upon, for which the grantee had been paying a mohatarfa tax of one rupee for some time, as referred to in para 3 supra, was the absolute property of the Government and directed that as the grantee had failed to abide by the specific terms of the grant, a sum of Rs.296-7-0 should be levied for the whole of the site at two annas per Sq.Yd, within one month, and in default the land should be at the disposal of Government.

7. Paladi Subbiah appealing against this order of the Vice President, the then Deputy Commissioner and President of the Municipality, Mr. A. Rangaswami Iyengar, (now Revenue Commissioner), after carefully going into the whole matter, passed the following order on 22nd October 1897:-

> " The party has agreed by a deposition to build the temples &c, within three years and that in default the Government might dispose of the property as it thinks proper. On these conditions the applicant's possession of the site &c, will be continued pending the comstruction of the charitable buildings &c,"

8 As the site thereafter continued to be open and unenclosed and no temples &c, had been erected, the District Forest Officer opened thereon a fuel depot in August 1898, when the petitioner took exception to it and sought therefor, either a ground rent of Rs.10/- a month for the continuance of the depot, or a price of Rs.1000/- as market value for the land.

The then Deputy Commissioner, Mr. K.P. Puttanna Chetty, after examining the records, ordered on 27-8-98 that as Paladi Subbiah had failed to abide by the terms of his original agreement and as the land was also required for a Government purpose - to wit- a wood yard, the land should be resumed with the approval of Government, excepting the small piece on which Paladi Subbiah had already built a mud house which, he thought, might be permitted to be kept by the peti-

- tioner. A recommendation to Government was accordingly made.

9. The Government in their Proceedings No.6090/L.F. 27-98 dated 15th November 1898, observed that, as Paladi Subbiah had been in possession of the whole land for a long time and would be unfair to dispossess him of it then, the previous order of the Deputy Commissioner, Mr. A. Rangaswami Iyengar, passed on 27-10-1897, should be given effect to. In pursuance thereof, the then Deputy Commissioner, Mr. H.H. Sparkes, directed the Vice President to obtain, " a Mutchalika from Paladi Subbiah that he would build a temple, within three years from 27-10-98 or hand the land over to Government."

10. Even then, Paladi Subbiah did not carry out the terms of his Mutchalika, and so in December 1904, Mr. Sundara raja Iyengar, the then Vice President, issued a notice to him to show cause why the terms of his Mutchalika should not be enforced, he having failed to construct the temples &c, as per orders of Government. Paladi Subbiah systematically evaded service of notices till one issued in June 1905 was duly served on his son Naraniah, Paladi Subbiah, as usual, absconding and evading it.

11. The Vice President thereupon submitted in his report No.45 dated 14-7-05 that the applicant had failed to appear before him in obedience to the notices and that as no temples &c, had ever been constructed in accordance with his Mutchalika of 22-10-1897, which was drawn in pursuance of Government orders, the site might be resumed by Government,

12. When matters stood thus, during my inspections of the town, in September 1906, I casually observed that the site was kept in a very insanitary and ugly condition, and instituted enquiries as to whose it was, and why it was kept in such a dangerously insanitary condition, so close to the important Annachatram, and the Government High School which

has since 1893 sprung up in its vicinity, and right in front of the Public Park, to which a large number of people resort for recreation, and was informed of its previous history as set forth in the foregoing paragraphs. Thereupon after a ---- thorough local enquiry, I directed the Sub Division Officer of Kolar, to take steps for the resumption of the site. Notice issued on 4-10-06, was, as usual, evaded by Paladi Subbiah and was accordingly served on his house. A proclamation was also issued in October 1906, that the site with all the materials thereon would be resumed by Government, as Paladi Subbiah had absolutely failed to abide by the terms of the grant and his own Mutchalika dated 22-10-1897. Even then Paladi Subbiah kept clean out of the way, and the proclamation was accordingly given effect to, and the site was formally resumed by the Sub Division Officer.

13. After such formal resumption in due adherence to all the formalities taken in pursuance of the Government Order cited in para 8 ..... above, the petitioner's son Siddappa began to enclose the sides of the " Mantap" with a brick wall without license and against protest and specific orders not to do so, and was prosecuted by the Municipality before the Amildar and 2nd class Magistrate of Kolar under Section 3, clause 3 of the Village Sanitation Rules. The Magistrate convicted the accused under Section 8, clause 2 of the said - Rules and sentenced him to pay a fine of Rs.5/- with direction that Siddappa should at once pull down the portion he had already built without license, and in default to pay a fine of Rs,2/- per day, so long as the construction remained there without being pulled down. The unsightly low dilapidated dangerous mud walls which harboured numerous snakes and other venomous reptiles and hordes of rodants menacing the safety and sanitation of the adjoining Government Annachatram, School Park, and thoroughfare, besides being a cover to nuisance by straying donkeys, wayfarers &c, were demolished.

14. Against this, the petitioner has submitted four

-rials to His Highness the Maharaja and addressed two petitions to Government, in quick succession.

15. This is one of the several instances in this District, in which free grants of Government land obtained at first under a cloak of charity have been ultimately appropriated for private purposes, frustrating the objects of the grant and rendering it futile and converting the same as so many hot beds of all sorts of nuisance, infection and dangerous diseases &c, -

16. During these times of plague and other epidemics, it is very essential that we should have as much open ground as available amidst Public Buildings and Municipal grounds. The site in question adjoins - the Government Annachattram and is close to the High School and right in front of the Municipal Park. Thus it is all the more necessary to keep it clean and in a sanitary condition. The circumstances of the present times render it absolutely necessary that the Government Chatram should have more open space to afford better accommodation to the increasing number of travellers and keeping its compound in a thoroughly sanitary condition.

17. For these imperative reasons, and as the petitioner had failed to abide by the terms of the grant, the site has been resumed to Government, and cannot under the present congested condition of the town, be permitted to be enclosed or built upon, without detriment to public safety and sanitation

18. In consideration however, of the petitioner having his mud house of 9 ankanas on a portion of the site as noted in para 3 above, I propose to acquire the same under the Land Acquisition Act, and reserve the whole of the grounds as open to public, retaining in front the Aswatha tree that has sprung up close to the wall of the Annachatram, as charitable Aswatha katte for the worship and use of the numerous travellers that resort to it, which by itself will be perpetuation of a pious object, for which the grant was made.

19. Under these circumstances, I beg that the resumption

of the site in question may be approved, and orders issued, so that necessary action being taken for the acquisition of the mud house to enable the enlargement and improvement of the Government Annachatram compound and for retaining an Aswatha katte therein for the use and benefit of the public. I am accordingly submitting the usual application (with needful statements) for acquisition thereof, to the Revenue Commissioner, requesting him to submit the same to Government under recent orders on the subject.

20. The entire records connected with the subject, together with the enclosures to the dockets under reply, with a sketch showing the site, are herewith submitted.

I have the honor to be,

Sir,

Your most obedient servant.

Deputy Commissioner.

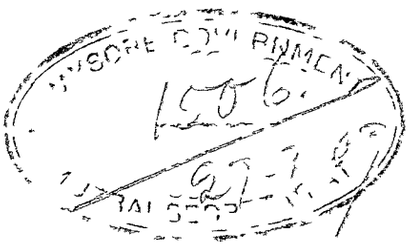
Kolar District.

1576
Rev

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

No 745 1907

Refer please
W 28/9/07



Petition as shown below, to His Highness the Maharaja, is

transferred to the Secretary to the Government of His Highness the Maharaja

of Mysore, General and Revenue Department (Br.), Bangalore, for

Petitioner is

will not interfere in the matter.

No. 826 of 07-08.

No Q 2288 & 27.9.07

By Order,

I C. S.
Private Secretary
to H. H. The Maharajah of Mysore.

Transferred to Secy to Govt
Revenue Dept.

for Secy. to Govt.

1677
Rev.

To

His Highness the Maharaja
of
Mysore.

PRIVATE SECRETARY'S
9 SEP 1907
PALACE OFFICE OF MYSORE

MYSORE GOVERNMENT
MUZRAI SECRETARIAT

I, your Highness's most humble Servant, Paladi Subbaiah, beg to bring the following into your kind consideration :——

(1) The house numbered 1278 and the field belonging to it, (as is seen in the patta no 446) near the gate of the Kolar Fort, is for the last 33 years under my possession.

PS (2) All that field was given to me formerly when it was full of thorny shrubs and huge Serpents. Such fields were given to others also. I removed all those shrubs and by filling in the earth where it was necessary, and thus removing all traces of pits I brought the whole place to a level.

Rd 20.8.07

Lr no. 1247 dt 30.3.07 was sent to Inspector Light
Memo. 2076 dt 28.3.07 made it a flower garden full of "Tulasi" so that it might become useful to worship with. It
Vide No. 2391 dt 21.3.07 was also many years ago that I grew an "Aswatham tree" and consecrated "Naga" God
Remarks & Memo required Drs/ passed of near that tree.

(3) Many officers and Gentlemen of the place told me to build a temple upon Payment of Pet: that place. So, Seven or Eight years ago, I began to lay foundation for the temple and built a part of it. But I left the town during the last plague when 4 of my nearest relatives including my brothers also died; And my property almost all was lost. All this can also account for the delay for finishing the temple.

dem. for the inf. that may be made will not be entitled to the matter
SM 14/9

present Deputy Commissioner of
District and some officers under
him, with some view in mind, ordered that
the walls should be levelled to the grounds
and moreover he ordered that I should
pay a fine of two (2) Rupees for day
until the walls were fell down.

This continued for about three
months and a half. Then, on appeal
to the Chief Court it has been decided
that the fine levied should be returned.

But the Deputy Commissioner
threatens me that I should no go
into my field and says that I
should at once fell down the walls.
This order was given two days back.

I pay the rate of tax
(7) fixed upon it. I am very poor.
I have given (5) five petitions for my
redress and I am waiting for the
last 6 months to show Your highness
all the Sculptures rocks and images
and the temple for which foundation
stones are laid.

This will be the best time
(8) for me to be redressed. On 8th
Friday March 1907, when Your
highness was on the road to the temple
of Sree Chamundeswary, I was
listened to and the promise that was
given keeps me and sustains me.
I fear it leads to the greatest Sin
if I break my vow of building a temple.
So I request that all these causes should
be brought under Consideration and I
firmly trust that Your Highness
passes orders that I should be redressed
and that my house and field should
not be interfered with. I remain,

Your Highness's most humble &

84

Proceedings of the Govt. of H.H. the Maharaja of Mysore.

Read:-

The yearly rent memorials addressed to H.H. the

C.1038/S999 dated 26th February 1907
" 4105 " 9th March 1907
" 4871 " 22nd March 1907.

Maharaja by one Paladi Subbiah of Kolar complaining of his eviction from a piece of land in his possession for the past 35 years, intended for the construction of charitable institutions thereon.

Please call for Report with papers
for 4/12/07

2. Letter No. 789/44 dated 29th July 1907 from the Deputy Commissioner, Kolar District, reporting on the above.

3. Letter No. 2272 dated 13th August 1907 from the Revenue Commissioner in Mysore, forwarding a declaration for the acquisition of a mud-roofed house built by Paladi Subbiah in a portion of the land in question.

- - - - - - - - - -

Order thereon:-No. 5075-7 Dated Bangalore, 30th November 1907.
ML 1450-7

The Deputy Commissioner reports in his letter read above, that a piece of land situated to the south of and contiguous to the Government Anna Chatram at Kolar was granted rent free, as far back as 1874 to the memorialist Paladi Subbiah by the Municipality on the condition of the petitioner erecting a temple and laying out flower and Tulasi gardens and planting fruit trees thereon, but that contrary to the conditions, he

not only erected a small mud roofed building for dwelling purposes, has also encroached upon the other portions of the Government site adjoining that granted to him and attempted to enclose the same with a compound wall. It is also reported that this encroachment having been subsequently discovered by the then Vice President of the Municipality Mr. M. Krishnaswamy, he directed in 1897 that as a penalty for failure to abide by the terms of the grant, a sum of Rs. 296-7-0 should be levied, and that in default, the site should be resumed to Government. The petitioner thereupon appealed to the then Deputy Commissioner and the President of the Municipality Mr. M. Rangasami Iyengar ordered in October 1897 that the party should, as agreed to in his deposition, build temples, etc within 3 years and that in default, the Government might dispose of the property as it thought proper. The Deputy Commissioner further reports that Paladi Subbiah did not act up to the terms of the Mutchalika even so late as December 1904, and that he has issued orders to resume the site in question on sanitary grounds, after taking the usual formal steps for the purpose.

2. In these circumstances, the Government observe that the Deputy Commissioner acted very rightly in resuming the land and they are accordingly pleased to approve of the action taken by

him. They are further pleased to sanction, the retention of the Aswatha tree which has grown on the site and the making of an Aswathakatte there for the use and benefit of the public as recommended by the Deputy Commissioner.

3. As regards the proposed acquisition of Subbiah's house built on the land in question, it is observed that as matters now stand Subbiah is entitled to remove the superstructure of the house which however he is unwilling to do. In order to give a legal aspect to the affair it is necessary to acquire the house under the Land Acquisition Regulation the land being the property of Government. The declaration received with the Revenue Commissioner's letter read above is accordingly modified and forwarded to the Compiler of the Mysore Gazette for publication in the Gazette. The cost of acquiring the superstructure of the house and the source from which the same has to be met should be reported.

For Secretary to Govt.

To

The Deputy Commissioner, Kolar District, returning the vernacular records.

" Revenue Commissioner in Mysore.

" Secretary to Government in the Muzrai Department.

K.R.

G P S Bangalore

No 5077 d 30/11/07
[illegible] (145-07)-3

[illegible]

[illegible]

By order

(Sd) C. S. Balasundaram Iyer
Offg Secretary to Govt.

5096 d 30th Nov 1907

Copy to the Secretary to the Government of H. H. the Maharaja of Mysore in the Muzrai Department.

By order

[illegible signature]

For Offg. Secy to Govt

AH

MYSORE GOVT. 2354½ MUZRAI SECRETARIAT

Ref: put up with the file

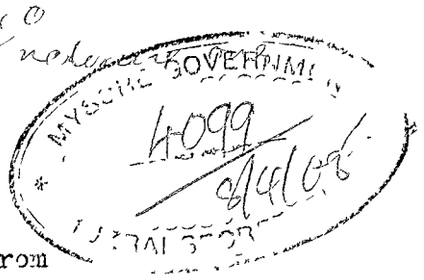
[illegible] 4/12/07

[illegible] 26. 11. 1907 — [illegible] 1907 — [illegible] 22. 1907

S&S

No. 1555 / 07

Deputy Commissioner's Office,
Kolar District,
Dated Kolar, 6th April 1908.



From

C. Srikantesvara Aiyar Esquire, B.A.B.L.,
Deputy Commissioner, Kolar District.

To

L. Anantaswami Rao Esquire, B.A.,
Secretary to the Government of Mysore,
Muzrai Department.

Sir,

With reference to Government Proceedings No.5075/7/M.L.145-07-2 dated 30th November 1907, sanctioning the -- acquisition of the mud roofed house belonging to Paladi Subbiah built on Government site and requesting to report the cost of acquisition thereof and the source from which it has to be met, I have the honor to state that an award of Rs.60/- was made for the same which has been already taken possession of, and being an old dilapitated insanitary mud house has also been duly demolished.

2. As the acquisition was for the purpose of extending the compound of the Government Anna Chattram and to render it more sanitary than hitherto, as mentioned in para 16 of my letter No.789/44 dated 29th July 1907, the said small sum of Rs.60/- may kindly be sanctioned out of Rs. /82/- reported by the Kolar Taluk Amildar in his Ittilla No. 484 dated 5.4.08 (enclosed for reference), to be available at the credit of the Chattram, on 31st March 1908.

I have the honor to be,
Sir,
Your most obedient servant,

C. Srikantesvara Aiyar

Deputy Commissioner, Kolar Dt:

Murder.

Read:—

Govt Pro: No 5075-7/Misl 14507-2 Dy 30th November 1907 Sanctioning the acquisition of the house belonging to one Paladi Subbiah of Kolar for the extension of the Compound wall of the Govt Hanumachattram at Kolar.

Letter No 6155/2878 Dy 6th April 1908 from the Dy Comr, Kolar District reporting that an award of Rs 60/- was made for the acquisition thereof, that the house was taken possession of and proposing that as the extension acquisition was for the purpose of extending the Compound

the Cost might be met from
the funds available at the
credit of the Chattram.

" "

order thereon No 4785-6 a/25.4.08

" Exd: CVS

Under the Circs,
reported by the Dy Comr.
the Govt are pleased
to sanction the Sum of
Rs 60/- for the purpose
the Charge being
met from the funds of the
Chattram.

BVN
23/4/08

Secretary
Mysore

Sd
13/4

To
The Dy Comr. Kolar Dist,
& Comptr, Mysore Govt.

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